



## **Preliminary Decision Memo**

### **2020 Midstate Electric Halfway House Power Pole Replacement**

**USDA Forest Service**  
**Crescent Ranger District, Deschutes National Forest**  
**Klamath County, Oregon**

#### **Background**

The Crescent Ranger District is considering Midstate Electric Cooperative Inc.'s (MEC) request to replace 13 older deteriorating power poles that are located along USFS 5825-801 road off of the west side of Highway 58. Access would be from the 5825 going either north or south along the powerline right of way.

#### **Purpose and Need**

*There is a need to replace 13 power poles along USFS 5825-801 due to age and deterioration.*

#### **Proposed Action**

The Forest Service proposes, on behalf of Midstate Electric Coop Inc., the following actions to meet this purpose and need:

Remove the old poles and install new poles into existing holes (pole numbers M6-R1 (71365) to M6-R13 (71377) are located on National Forest Lands). The process includes lifting the wires off the old pole and removing the pole using a bucket truck. The existing hole will be re-drilled using an augur attached to a boom truck and install the new pole back into the newly drilled existing hole to a depth of 6'.6" for a 45' pole. Wires will be placed onto the new pole. A boom truck with augur and several bucket trucks are required to complete the tasks. Spoils are to be placed around pole once installation is completed.

The project is located in Klamath County, Oregon, with a legal description of T25S, R8E, Sections 30 and 31; Willamette Meridian (Figure 1).

#### **Reasons for Categorically Excluding the Decision**

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are within one of the categories listed in 36 CFR 220.6(e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

#### **Category of Exclusion**

The appropriate category of exclusion is found in the Forest Service National Environmental Policy Act (NEPA) regulations at 36 CFR 220.6(e)(2). This category is appropriate because the project involves "...additional construction or reconstruction of existing telephone or utility lines in a designated corridor."

#### **Relationship to Extraordinary Circumstances**

In determining the appropriateness of using the categorical exclusion, a determination of the potential impact to the resource conditions identified in FSH 1909.15 Section 30.3(2) must be made. The following is the list of the potential effects to the resource conditions from the project activities.

**1. *Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.***

- Wildlife: It is anticipated that this project would have “No Effect” to any threatened or endangered species and “No Impact” to any R6 Sensitive wildlife species. A Biological Evaluation (BE) would be completed before issuance of a final Decision Memo to document any potential effects, and any design criteria or mitigation measures will be added to that decision.
- Plants: It is anticipated that this project would have “No Effect” to any threatened, endangered, and “No Impact” R6 Sensitive plant species. A Biological Evaluation (BE) would be completed before issuance of a final Decision Memo to document any potential effects, and any design criteria or mitigation measures will be added to that decision.
- Fisheries: It is anticipated that this project would have no disturbance or “No Effect” to fisheries as a result of this decision.

**2. *Flood plains, wetlands, or municipal watersheds***

Executive Order 11988 provides direction to avoid adverse impacts associated with the occupancy and modification of floodplains. Executive Order 11990 provides direction to avoid adverse impacts associated with destruction or modification of wetlands. The project is consistent with both executive orders.

- This project would have no effect to either floodplains or wetlands.
- There would be no adverse effects to a municipal watershed because the project is not located within or adjacent to a municipal watershed.

**3. *Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas***

The project area is not located within any Wilderness, Wilderness Study Areas, or National Recreation Areas. The closest Wilderness Area is Mt Thielsen Wilderness which is nine miles to the south on the Fremont-Winema National Forests. No activity would take place in the Wilderness.

The closest electric pole is approximately three and a half miles from the edge of the Little Deschutes Wild and Scenic River (WSR) corridor. No activity would take place in the WSR corridor. The closest pole is approximately six miles from the edge of the Oregon Cascades National Recreation Area (OCRA). There is no proposed activity in the OCRA.

**4. *Inventoried roadless areas or potential wilderness areas***

The project is not located within any Inventoried Roadless Areas (IRA) or potential wilderness areas. The nearest Inventoried Roadless Area is the Mt Thielsen IRA, which is approximately 15 miles to the southwest of the project area.

The project is not within a potential wilderness area, nor will it affect any of the criteria for inventorying potential wilderness (ie. – no roads will be built and no timber will be cut).

**5. *Research Natural Areas***

There are no existing or proposed Research Natural Areas in or adjacent to the project. The nearest Research Natural Area is the Cannon RNA on the Fremont-Winema National Forests, which is approximately 15 miles to the east.

**6. American Indians and Alaska Native religious or cultural sites, archaeological sites, or historic properties or areas**

Consultation for this project would be covered under the 2003 Programmatic Agreement for the State of Oregon and a final determination of compliance with Section 106 of the National Historic Preservation Act, including any required field surveys, would be completed before issuance of a final decision memo.

Based on the final conclusions regarding the effects to the resources and conditions listed above, I will determine if the project will have no extraordinary circumstances that may result in a significant direct, indirect, or cumulative effect on the quality of the human environment.

**Consistency with Deschutes Land and Resource Management Plan**

This project would be consistent with direction found in the Deschutes National Forest Land and Resource Management Plan as amended by the Northwest Forest Plan. Biological Evaluations are being prepared for Sensitive, Threatened, and Endangered animal and plant species and will be located in the project file at the Crescent Ranger District. Also, the project will meet all of the applicable Project Design Criteria from the 2014 Programmatic Biological Assessment for central Oregon.

**Scenic Views**

Three of the poles are in Management Area 9 (MA 9) Scenic Views, foreground. This project would be consistent with M9-83 *“Mineral developments, utilities, and electronic sites may be located in these areas if the facilities and associated improvements are located, designed, and maintained to blend with the characteristic landscape. Visual quality objectives may not always be met when the viewer is within the special use site itself, due to the usual large scale of the facilities. However, when viewed from the travel routes, recreations areas, and other sensitive viewer locations, Visual Quality Objectives should be met.”*

The power pole (M6-R13 see Figure 1) closest to the Highway 58 travel corridor is set-back approximately 0.13 miles from the edge of the highway with the additional poles inline behind them. Those traveling at highway speeds along the Highway 58 travel corridor would notice no difference from the current poles.

**Northwest Forest Plan**

This project is outside the Northwest Forest Plan boundary thus Survey and Manage is not required.

**Public Involvement**

Public scoping and Tribal consultation are being conducted in conjunction with the release of this preliminary Decision Memo.

**Implementation**

When the Decision Memo is signed, project implementation can begin once final approval is received from the Crescent District Special Use Administrator. The following project design features will be included to meet project objectives and/or to reduce or minimize unwanted effects:

**Cultural**

- For any ground disturbance work- if imported fill is utilized it must be from a culturally sterile source (meaning there is no possible contamination from fill originating from another buried archaeological site).



- If, prior to, or during construction work, items of archeological or historical value are reported or discovered, or an unknown deposit of such items is disturbed, the permit holder would immediately cease activities in the area affected. The Forest Service would be notified and ground disturbing activity would not resume until written authorization is provided.

#### *Botany*

- Equipment Cleaning - Actions conducted or authorized by written permit (contracts) require cleaning of all heavy equipment (i.e., bulldozers, skidders, and other construction equipment) prior to entering Forest Service lands. Equipment will be inspected on-site by the Forest Service project manager or the District botanist prior to start of work.
- All gravel, fill, sand stockpiles, quarry sites and borrow materials used for this project will be inspected for invasive plants before such material is transported and used within Forest Service lands. Any infested sources must be treated before use of pit material. Only gravel, fill, sand, and rock that are judged to be weed-free by District or Forest weed specialists will be used for this project (Requirement R6 Standard #7).

### **Best Available Science and Conclusion**

My conclusion will include a review of the record of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

### **How to Comment and Timeframe**

Your comments about the proposed actions or other concerns are welcome and would be considered in the decision. They would be most helpful if received by August 21, 2020. Comments can be submitted to the address on the header of this letter, or by email to: [comments-pacificnorthwest-deschutes-crescent@usda.gov](mailto:comments-pacificnorthwest-deschutes-crescent@usda.gov). Written or oral scoping comments should include your name, address, and telephone number (if available). Include the title of the project (2020 Midstate Electric Halfway House Power Pole Replacement Project).

This notice also serves as an invitation to participate in the Forest's National Historic Preservation Act, Section 106 process for the project.

### **Administrative and Appeal Rights**

The final decision is not subject to appeal or objection. On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes "shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excluded ....under the National Environmental Policy Act [NEPA]." As a result, the Forest Service no longer offers notice, comment, and appeal opportunities pursuant to 36 CFR 215 for categorically excluded projects such as the one covered under this Decision Memo.

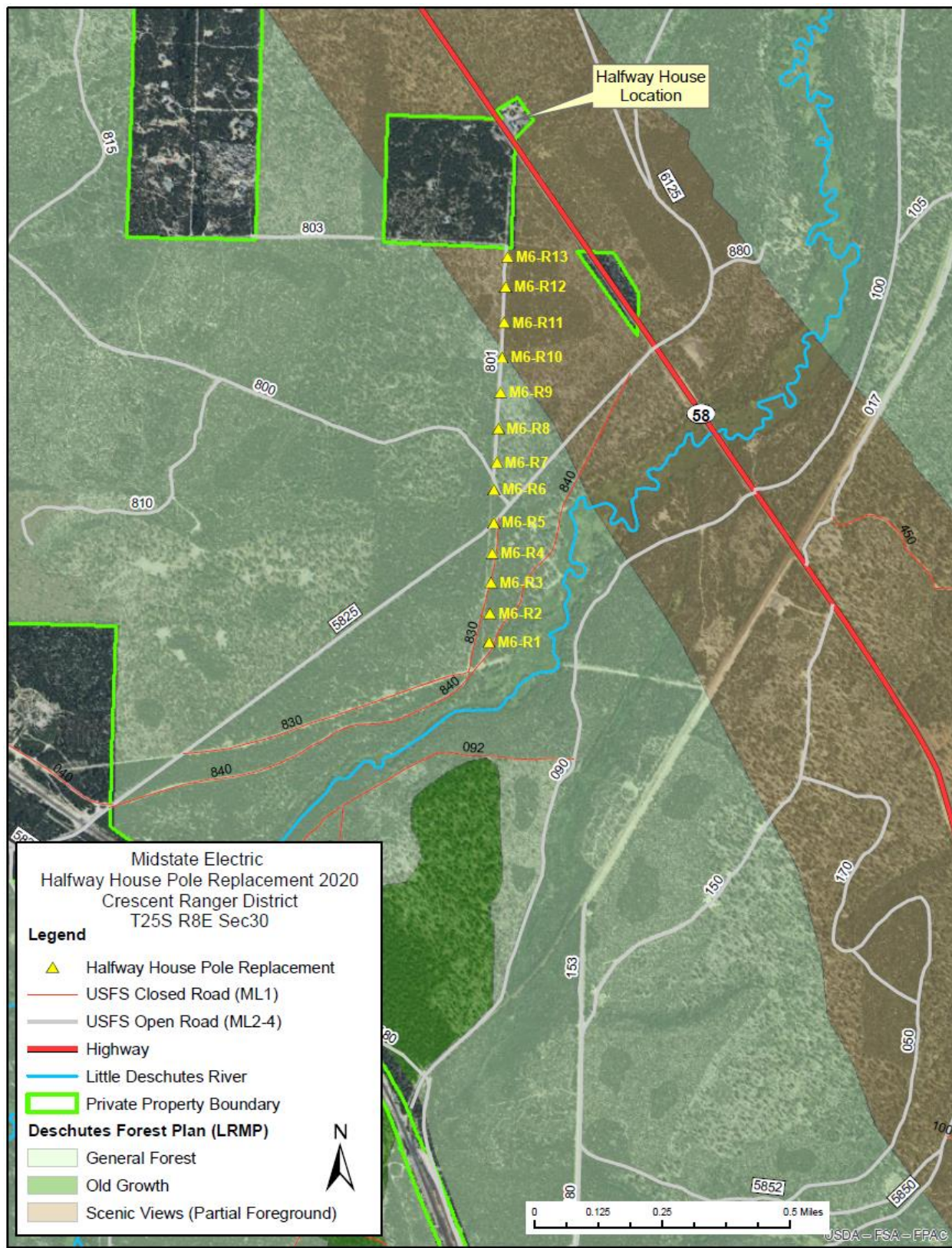
### **Contact Information**

For additional information concerning this project, contact Meria Page, Special-Uses Administrator, at Crescent Ranger District, 136471 Hwy 97 N/ P.O. Box 208, Crescent OR 97733, by phone at (541) 433-3200 or email [meria.page@usda.gov](mailto:meria.page@usda.gov)

### **Responsible Official**

The Responsible Official will be Daniel Rife, District Ranger, Crescent Ranger District, Deschutes National Forest.





**Figure 1 – Midstate Electric Line Transformer Replacement South of Highway 58 at Halfway House**